

RESOLUTION NO. 88-117

A RESOLUTION OF THE LODI CITY COUNCIL
TO ACCEPT A CONDITIONAL BEQUEST OF THE LATE WILLIAM G. HOLZ
TO BUILD A PERMANENT FACILITY AT HUTCHINS STREET SQUARE

WHEREAS, the late William G. Holz devised one-half of the residue of his estate to the City of Lodi in the form of a conditional charitable bequest to be used to build a permanent building or facility at Hutchins Street Square in the nature of a community center, primarily for the use of the elderly of Lodi, California, in accordance with the Will of William G. Holz, dated April 7, 1982 ("Will") as amended by the First Codicil dated July 14, 1983 ("First Codicil"); and

WHEREAS, the Executor of the estate of William G. Holz desires to fulfill the bequest in accordance with the terms and conditions of the First Codicil to the Will by paying to the City of Lodi one-half of the residue of the estate provided that the City will use said funds exclusively for the purpose of building a permanent building or facility at Hutchins Street Square in the nature of a community center primarily for the use by the elderly; and

WHEREAS, the Lodi City Council may accept or reject any bequest made to the City and may hold and dispose of such property and the income and increase from such property for such uses as are prescribed in the terms of the bequest in accordance with Section 37354 of the California Government Code; and

WHEREAS, the City of Lodi does not currently have a permanent building or facility for the use of the elderly at Hutchins Street Square, Lodi, California; and

WHEREAS, the City of Lodi desires to accept the generous bequest of the late William G. Holz and to apply all money received from the bequest and any accumulated interest therefrom to build a permanent building or facility at Hutchins Street Square in the nature of a community center primarily for the use of the elderly in accordance with the terms prescribed in Paragraph Seventh set forth in the First Codicil to the Will;

NOW, THEREFORE, the City Council of the City of Lodi does resolve as follows:

Section 1. The City of Lodi certifies that a permanent building or facility for the use of the elderly at Hutchins Street Square, Lodi, California did not exist on decedent's death or does not currently exist.

Section 2. The City of Lodi hereby accepts the bequest of the late William G. Holz for one-half the residue of his estate and agrees to use all property received from said bequest exclusively to pay for the construction of a permanent building or facility at Hutchins Street

Square in the nature of a community center primarily for the use of the elderly in accordance with the terms of Paragraph Seventh set forth in the First Codicil to the Will.

Section 3. The City Manager is hereby authorized and directed to acknowledge and accept the bequest from William G. Holz on behalf of the City and to sign any document, receipt, or instrument necessary for the City to receive said bequest.

Section 4. The City Manager is hereby further authorized and directed to deposit all monies or other property received as part of the bequest from the estate of William G. Holz in a separate account established to pay for the construction of a permanent building or facility at Hutchins Street Square in the nature of a community center primarily for the use of the elderly.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lodi, California, held on the 17th day of August, 1988.

CITY OF LODI, CALIFORNIA

By 
JAMES W. PINKERTON
MAYOR

ATTEST:

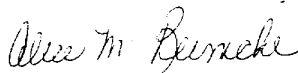

ALICE M. REIMCHE
CITY CLERK

I hereby certify that Resolution No. 88-117 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 1988 by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid, Snider
and Pinkerton (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Alice M. Reimche
City Clerk